

(approved July 25, 2002)

**BOARD OF BEHAVIORAL SCIENCES  
CONSUMER SERVICES/CONSUMER PROTECTION COMMITTEE  
MEETING MINUTES**

**APRIL 25, 2002**

**HAWTHORN SUITES  
321 BERCUT DRIVE  
SACRAMENTO, CA**

**MEMBERS PRESENT**

Howard Stein, Public Member, Committee Chair  
Glynis Morrow, Public Member  
Roberto Quiroz, Public Member  
Susan Ulevitch, LCSW Member

**MEMBERS ABSENT**

**STAFF PRESENT**

Sherry Mehl, Executive Officer  
Mary-Alice Coleman, Legal Counsel  
Julie McAuliffe, Administrative Analyst

**GUEST LIST ON FILE**

The meeting was called to order at approximately 2:25 p.m.

**1. APPROVAL OF MINUTES**

GLYNIS MORROW MOVED, ROBERTO QUIROZ SECONDED, AND THE COMMITTEE CONCURRED TO APPROVE THE JANUARY 24, 2002 MINUTES.

**2. ENFORCEMENT STATISTICS**

The current statistics as of March 31, 2002 were included in the meeting materials. Ms. Mehl stated that the Board has seen a recent increase in serious criminal allegations against licensees. The Board has been successful in receiving suspension of their licenses (PC 23) until the outcome of the criminal discipline.

Mr. Quiroz asked about the complaint process. Ms. Mehl explained the steps involved in the complaint and disciplinary process. Enforcement staff reviews all allegations of misconduct by licensees and registrants. Once clear and convincing evidence is determined by staff, the case is referred to the Division of Investigation (D of I) for investigation and interviews with respondents, complainants, and witnesses.

The investigative report is reviewed by staff and, if there is clear and convincing evidence, the case is sent to the Attorney General's office for filing of an accusation. Cases proceed to a formal hearing. The majority of decisions are settled by stipulated agreements in which the Executive Officer, Enforcement staff, and the Attorney General's office identify the appropriate penalties utilizing the Board's Disciplinary Guidelines. If the respondent does not stipulate, the case proceeds to a formal hearing. The matter is presided over by an Administrative Law Judge (ALJ). After the hearing, the ALJ prepares a proposed decision and it is sent to the Board members. If Board members do not agree with the findings of the ALJ's proposed decision, they may choose to non-adopt the decision, review the actual hearing transcript, and modify or draft their own findings with assistance from legal counsel.

Ms. Mehl stated that she would arrange for a representative from the Attorney General's Office to present information on their role in the enforcement process to the Board at the July meeting.

### **3. REVIEW AND APPROVE 2002 STRATEGIC PLAN**

Dr. Stein read the current goals aloud and Committee members were in agreement with all goals.

HOWARD STEIN MOVED, GLYNIS MORROW SECONDED, AND THE COMMITTEE ADOPTED THE 2002 STRATEGIC PLAN.

The meeting adjourned at approximately 2:35 p.m.